IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL WRIT PETITION NO.357 OF 2006

Suresh Dhansingh Chavan : Petitioner.

versus

The State of Maharashtra : Respondent.

Mr.A.E.A.Sait, advocate appointed, for the petitioner.

Mrs.S.D.Shinde, APP, for the State.

CORAM : D.G.DESHPANDE

S.A.BOBDE, JJ.

DATED : JUNE 12, 2006.

P.C.

1. This is a petition for furlough leave filed by the accused through jail. We have already appointed Advocate Mr.Sait to represent the accused. We heard the advocate for the accused and learned APP for the State. Application for the petitioner was rejected on the ground that, if the petitioner/accused is

released on furlough leave, there would possibility of breach of peace and it would pose danger to the life of the witnesses in the offence in which the applicant/accused was convicted for murdering his wife. The father-in-law of the accused apprehends that if the accused is released on furlough, there is danger to their lives.

2. The advocate appointed for the accused to represent him states that the court may impose any condition for releasing the accused on furlough leave.

3. Looking to the nature of offence, the petition is allowed on a condition that that during the period of furlough the accused/petitioner will stay out side the jurisdiction of the police station where the witnesses are residing and will not enter in that area at any time under any pretext. Petitioner/accused be released on furlough leave on usual terms and condition. Prior to that the address where the accused is going to stay should be obtained and it should be ascertained that the place where he is going to stay is out from the

police station in which jurisdiction the offence is committed and the witnesses are staying. Office to communicate this order to the Kolhapur Central Jail, Kalamba. Writ petition is disposed of.

[D.G.DESHPANDE,J]

[S.A.BOBDE, J]